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*Attorneys for Defendants*

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RASIER, LLC; and RASIER-CA, LLC

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**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

**SAN FRANCISCO DIVISION**

IN RE: UBER TECHNOLOGIES, INC.,  
PASSENGER SEXUAL ASSAULT  
LITIGATION

This Document Relates to:

ALL ACTIONS

Case No. 3:23-md-03084-CRB

**DECLARATION OF MICHAEL B.  
SHORTNACY IN SUPPORT OF  
DEFENDANTS UBER TECHNOLOGIES,  
INC., RASIER, LLC, AND RASIER-CA,  
LLC'S UNOPPOSED MOTION TO  
EXTEND THE DEADLINE FOR  
COMPLIANCE WITH THE COURT'S  
MARCH 15 ORDER (ECF NO. 344)**

Judge: Hon. Lisa J. Cisneros

Courtroom: G – 15th Floor

1 I, Michael B. Shortnacy, declare as follows:

2 1. I am a partner at the law firm of Shook, Hardy & Bacon, LLP, representing Defendants  
3 Uber Technologies, Inc., Rasier, LLC, and Rasier-CA, LLC (“Uber”). I am a member in good standing  
4 of the Bar of the States of California, New York, and the District of Columbia. I make this declaration  
5 based upon matters within my own personal knowledge and if called as a witness, I could and would  
6 competently testify to the matters set forth herein.

7 2. On March 8, Uber produced 158,655 pages of documents from 87 other litigations.  
8 The documents Uber produced on March 8 included documents Uber had previously produced in a  
9 civil litigation captioned *The People of the State of California v. Uber Technologies, Inc., et al.*, Case  
10 No. CGC-14-5430120 (SF Super. Ct.), which stemmed from a joint investigation conducted in or  
11 around 2014–2016 by the District Attorney’s Offices for the Cities and Counties of San Francisco and  
12 Los Angeles into certain of Uber’s then marketing practices (the “DA Case” and the “DA  
13 Investigation,” respectively).

14 3. Uber made this production voluntarily prior to the Court’s March 15, 2024 Order (ECF  
15 No. 344) resolving an ongoing dispute by the parties’ over the scope of PTO 5.

16 4. On March 8, 2024, notwithstanding its objection to Plaintiffs’ interpretation of the  
17 scope of PTO 5, Uber also lodged with the Court a letter from the DA investigation and the civil  
18 complaint in the DA Case, and voluntarily produced to Plaintiffs a set of written document requests  
19 served by SF/LA District Attorneys in the civil litigation.

20 5. On March 21, I confirmed in writing to Plaintiffs that no documents or privilege logs  
21 were produced by Uber in the pre-suit investigation phase of the DA Investigation.

22 6. While reserving all objections to relevance and admissibility, Uber has also agreed to  
23 voluntarily produce to Plaintiffs Uber’s written discovery responses from the DA Case. Uber expects  
24 to complete this voluntary production, made in the spirit of cooperation, by the Court’s current March  
25 22 deadline.

26 7. Uber has located certain “post-stipulated judgment review documents” previously  
27 provided by Uber to the District Attorneys subsequent to the entry of the stipulated judgment, and is  
28 preparing the documents covered by the March 15 Order for production. (See ECF No. 344, p.2).

1           8.       Despite its diligent efforts to locate these documents from a 10-year old proceeding and  
2 collect the documents from prior outside counsel, and the significant resources Uber has dedicated to  
3 electronically processing the data to prepare it for production, the volume of the material makes it  
4 infeasible for Uber to complete delivery of the material to Plaintiffs by the current March 22 deadline.

5           9.       On March 20, 2024 I sought Plaintiffs' agreement by email that Plaintiffs do not oppose  
6 Uber's proposed requested relief in the accompanying motion for an eleven day extension of the March  
7 22 deadline. On March 22, 2024, Plaintiffs confirmed in writing by reply email that they do not oppose  
8 this relief and that Uber's unopposed motion is ripe for immediate determination by the Court.

9           10.     No other request to extend the March 22 deadline has previously been made, and the  
10 requested extension will not affect other Court ordered deadlines.

11           I declare under penalty of perjury under the laws of the United States of America that the  
12 foregoing is true and correct.

13  
14 DATED: March 21, 2024

By: /s/ Michael B. Shortnacy

Michael B. Shortnacy